

Privacy Notice for Prospective Employees, Workers, and Contractors

1. Introduction

LifeCare Residences Limited is committed to protecting the privacy and security of your personal information.

LifeCare Residences Limited, along with its subsidiaries Battersea Place Retirement Village and Grove Place Retirement Village (collectively referred to as LifeCare Residences, we, us, or our), is the data controller. This means that we are responsible for determining how we hold and use personal information about you.

This privacy notice applies to all individuals who apply to work with us, including prospective employees, workers, volunteers, and contractors. It is intended to inform you about how we collect, use and retain personal information about you. It also explains the reasons for using your personal data and the typical duration for which it will be retained. This information is provided in accordance with the retained European Union law version of the General Data Protection Regulation, Regulation (European Union) 2016/679, and other applicable data protection legislation in the United Kingdom.

2. Data protection principles

We are committed to ensuring that your personal data is used in compliance with the applicable laws and principles, which means that your data will be:

- Processed lawfully, fairly and in a transparent manner.
- Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes.
- Adequate, relevant and limited to what is necessary in relation to the purposes for which it is processed.
- Accurate and, where necessary, kept up to date.
- Retained only for as long as necessary for the purposes we have informed you about.
- Processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

3. The kind of information we will hold about you

In connection with your application for work with us, we will collect, store and use the following categories of personal information:

- The information you have provided in your CV and covering letter.
- The information you have provided in our application form, including your full name, title, home address, telephone number, personal e-mail address, date of birth, gender, right to work documentation, national insurance number, education history, employment history, references, qualifications, criminal conviction history and availability for work.
- Any information you provide to us during an interview or which we obtain as part of the recruitment process.

We may also collect, store and use the following special categories of more sensitive personal information:

- Information about your racial or ethnic origin, religious or philosophical beliefs, sexual orientation and political opinions.
- Information about your health, including any medical condition, health and sickness records.
- Information about criminal convictions and offences.

3.1. How is your personal information collected?

We collect personal information about candidates from the following sources:

- You, the candidate.
- The applicable recruitment agency from which you have been referred. We collect the following categories of data from recruitment agencies:
 - Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses.
 - Date of birth.
 - Gender.
 - Qualification records, as applicable for your role.
 - Training records, as applicable for your role.
 - Recruitment information (including copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process).
- The following background check providers, from which we collect the following categories of data:
 - Disclosure and Barring Service in respect of criminal convictions.
 - The Nursing and Midwifery Council to obtain proof of registration and associated records (as applicable to your role).
- Your named referees, from whom we collect the following categories of data:
 - Full name.
 - Performance information.
 - Dates of employment.
 - The following data from third parties is from a publicly accessible source.
 - Driving History Record.

3.2. How we will use information about you

We will use the personal information we collect about you to:

- Assess your skills, qualifications, and suitability for the role/work.
- Carry out background and reference checks, where applicable.
- Communicate with you about the recruitment process.
- Keep records related to our hiring processes.
- Comply with legal or regulatory requirements, including those in respect of the Nursing and Midwifery Council (as applicable).

- Ensure compliance with our internal policies and procedure

We process this information because it is necessary in order to take steps at your request prior to entering into a contract of employment or engagement. In some cases, we may also process your personal information where it is necessary for our legitimate interests, provided that your interests and fundamental rights do not override those interests.

If your application is successful, we will use the information you have provided to make a decision about offering you a role or engagement. This may include reviewing your CV, covering letter, application form, interview responses and any assessments undertaken during the recruitment process. If we decide to offer you a position, we will then carry out reference checks, verify your right to work, and conduct criminal record checks where required.

3.3. If you fail to provide personal information

If you fail to provide information when requested which is necessary for us to consider your application (such as evidence of qualifications or work history), we will not be able to process your application successfully. For example, if we require a DBS check or references for this role and you fail to provide us with relevant details, we will not be able to take your application further.

3.4. How we use particularly sensitive personal information

We will use your particularly sensitive personal information in the following ways:

- We will use information about your disability status to consider whether we need to provide appropriate adjustments during the recruitment process, for example whether adjustments need to be made during a test or interview.
- We will use information about your COVID-19 vaccination status to assess the risk you pose to our vulnerable residents. In compliance with our policy on vaccination.
- We will use information about your race or national or ethnic origin, religious, philosophical or moral beliefs, or your sexual life or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting.

We will only use this information where it is necessary for the purposes of carrying out our obligations and exercising specific rights in the field of employment, or where you have given your explicit consent.

3.5. Information about criminal convictions

We envisage that we will process information about criminal convictions.

We may process information about criminal convictions and offences where it is lawful to do so. This will typically occur where:

- We are legally required to carry out criminal record checks under the regulations of the Care Quality Commission.
- The role you are applying for is covered by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975, which permits us to request an enhanced disclosure from the Disclosure and Barring Service.
- The nature of the role requires a high degree of trust and integrity, particularly where it involves working with vulnerable adults.

We have in place an appropriate policy document and safeguards, as required by law, to ensure that your personal information is treated securely and in accordance with data protection legislation. You will be informed during the recruitment process if and when this requirement applies to you.

3.6. Automated decision-making

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making.

4. Legal Basis for Processing Your Personal Information

We will only process your personal information where we have a lawful basis to do so under data protection legislation. The lawful bases we rely on include:

- Consent: where you have given your clear agreement for us to process your personal information for a specific purpose.
- Contract: where processing is necessary to take steps at your request before entering into a contract or for the performance of a contract.
- Legal obligation: where we need to process your personal information to comply with a legal or regulatory obligation.
- Legitimate interests: where processing is necessary for our legitimate interests or those of a third party, and your interests and fundamental rights do not override those interests.

Where we process special categories of personal information, we will ensure that we have an additional lawful basis under data protection law, such as your explicit consent or the need to carry out our obligations in the field of employment and social protection law.

5. Data sharing

5.1. Why might you share my personal information with third parties?

We will only share your personal information with the following third parties for the purposes of processing your application:

- DBS Processing Body.
- Other entities in our corporate group.
- Providers of our web-based human resources system, which supports recruitment, onboarding and employment administration.
- Providers of our time and attendance system, which records working hours and absences.
- Providers of our payroll system, which processes salary payments and related financial information.

All our third-party service providers and other entities in the group are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

5.2. Data security

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need-to-know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality. Details of these measures may be obtained from the General Manager.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

6. Data Retention

6.1. How long will you use my information for?

We will retain your personal information for a period of 12 months after we have communicated to you our decision about whether to appoint you to work. We retain your personal information for that period so that we can show, in the event of a legal claim, that we have not discriminated against candidates on prohibited grounds and that we have conducted the recruitment exercise in a fair and transparent way. After this period, we will securely destroy your personal information in accordance with our data policies or applicable laws and regulations.

If we wish to retain your personal information on file, on the basis that a further opportunity may arise in future and we may wish to consider you for that, we will write to you separately, seeking your explicit consent to retain your personal information for a fixed period on that basis.

7. Rights of access, correction, erasure, and restriction

7.1. Your rights in connection with personal information

Under certain circumstances, you have rights under data protection law in relation to your personal information. These rights include:

- The right to request access to your personal information. This allows you to receive a copy of the personal information we hold about you and to verify that we are processing it lawfully.
- The right to request correction of any incomplete or inaccurate personal information we hold about you.
- The right to request erasure of your personal information where there is no lawful reason for us to continue processing it. You may also request erasure where you have exercised your right to object to processing.
- You have the right to object to the processing of your personal information where we are relying on our legitimate interests as the legal basis for processing, and there is something about your particular situation which justifies your objection.
- You also have an absolute right to object to the processing of your personal information for direct marketing purposes. If you exercise this right, we must stop processing your data for that purpose.
- The right to request the restriction of processing of your personal information. This allows you to ask us to suspend processing, for example while we verify its accuracy or the reason for processing.

- The right to request the transfer of your personal information to another party.

If you wish to exercise any of these rights, please contact the General Manager at the relevant Village in writing.

7.2. Right to withdraw consent

Where you have provided your consent for us to process your personal information for the purposes of the recruitment process, you have the right to withdraw that consent at any time. To do so, please contact the General Manager at the relevant Village.

Once we have received notification that you have withdrawn your consent, we will cease processing your application and, subject to our retention policy, securely dispose of your personal information.

7.3. Contact and Complaints

Support Office oversee compliance with this privacy notice.

If you have any questions about this privacy notice or how we handle your personal information, please contact Support Office on info@lcr.uk.com.

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues. Further information is available at www.ico.org.uk.